

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

AIIMEE LYNN O'NEIL,

Plaintiff,

VS.

STATE OF NEW YORK,

Defendant.

Case No.: 2:21-cv-00039-GMN-VCF

## ORDER

Pending before the Court is the Report and Recommendation (“R&R”) of United States Magistrate Judge Cam Ferenbach, (ECF No. 4), which recommends that the case be dismissed with prejudice, as amendment would be futile.

A party may file specific written objections to the findings and recommendations of a United States Magistrate Judge made pursuant to Local Rule IB 1-4. 28 U.S.C. § 636(b)(1)(B); D. Nev. R. IB 3-2. Upon the filing of such objections, the Court must make a de novo determination of those portions to which objections are made. *Id.* The Court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the Magistrate Judge. 28 U.S.C. § 636(b)(1); D. Nev. IB 3-2(b). Where a party fails to object, however, the Court is not required to conduct “any review at all . . . of any issue that is not the subject of an objection.” *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Indeed, the Ninth Circuit has recognized that a district court is not required to review a magistrate judge’s report and recommendation where no objections have been filed. *See, e.g., United States v. Reyna–Tapia*, 328 F.3d 1114, 1122 (9th Cir. 2003).

Here, no objections were filed, and the deadline to do so, April 28, 2021, has passed. (See Report and Recommendation, ECF No. 4).

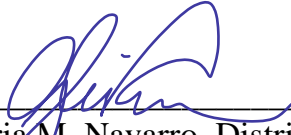
Accordingly,

1           **IT IS HEREBY ORDERED** that the Report and Recommendation, (ECF No. 4), is  
2 **ACCEPTED AND ADOPTED in full.**

3           **IT IS FURTHER ORDERED** that the case is **DISMISSED with prejudice.**

4           The Clerk of Court shall close the case.

5           **DATED** this 12 day of May, 2021.

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10          Gloria M. Navarro, District Judge  
11          United States District Court  
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